

Appl. No. 10/687,943

Amdt. Dated 13 January 2006

Reply to Office action of 13 October 2005

REMARKS/ARGUMENTS

Reexamination and reconsideration of this application as amended is requested. By this amendment, claims 1, 3, 8, 10, 17, and 18 have been amended, and claims 2 and 13-16 have been cancelled. Claims 1, 3-12, and 17-19 remain in the application.

CLAIM SUGGESTIONS

The Examiner has requested changes to claim 8 and 17 due to the language used. Claims 8 and 17 have been amended accordingly.

REJECTION OF CLAIMS 1, 9, 10, 18, AND 19 UNDER 35 U.S.C. §102(e)

Claims 1, 9, 10, 18, and 19 have been rejected under 35 U.S.C. 102(e) as being anticipated by Kim 6,699,611.

The limitations of allowable claim 2 have been inserted into independent claims 1, 10, and 18.

Accordingly, it is believed that the rejection of claims 1, 9, 10, 18, and 19 under 35 U.S.C. 102 has been overcome by the amendment and remarks.

REJECTION OF CLAIMS 10-12, 18, AND 19 UNDER 35 U.S.C. §102(b)

Claims 10-12, 18, and 19 have been rejected under 35 U.S.C. 102(b) as being anticipated by JP 6-267555.

The JP reference specifically describes a metallic material.

The amended claims 10 and 18 now include the limitations of claim 4 and 5 except "metal fibers exhibiting positive coefficient of thermal expansion" has been removed. Since the JP reference does not teach or disclose claims 10 and 18 as amended, claims 10-12 and 18-19 are now believed allowable.

Accordingly, it is believed that the rejection of claims 10-12, 18, and 19 under 35 U.S.C. 102 has been overcome by the amendment and remarks.

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REJECTION OF CLAIMS 13-17 UNDER 35 U.S.C. §103

Claims 13-17 have been rejected under 35 U.S.C. 103 as being unpatentable over JP 6-267555 in view of Fredley 5,998,058.

Claims 13-16 have been cancelled. Claim 17 depends from amended claim 10. The amended claim 10 now includes the limitations of claim 4 and 5 except "metal fibers exhibiting positive coefficient of thermal expansion" has been removed. Since the JP reference does not teach or disclose claim 10 as amended, claim 17 is now believed allowable.

Accordingly, it is believed that the rejection of claims 13-17 under 35 U.S.C. 103 has been overcome by the amendment and remarks.

REJECTION OF CLAIMS 1-17 UNDER THE JUDICIALLY CREATED DOCTRINE OF DOUBLE PATENTING

Claims 1-17 have been rejected under the judicially created doctrine of Double Patenting as being unpatentable over claims 1-5 of U.S. Patent No. 6,743,543.

A terminal disclaimer has been submitted herewith.

Accordingly, it is believed that the rejection of claims 1-17 under the judicially created doctrine of Double Patenting has been overcome by the amendment and remarks.

REJECTION OF CLAIMS 1-17 UNDER THE JUDICIALLY CREATED DOCTRINE OF DOUBLE PATENTING

Claims 1-17 have been rejected under the judicially created doctrine of Double Patenting as being unpatentable over claims 1-17 of U.S. Patent No. 6,699,611.

A terminal disclaimer has been submitted herewith.

Accordingly, it is believed that the rejection of claims 1-17 under the judicially created doctrine of Double Patenting has been overcome by the amendment and remarks.

ALLOWABLE CLAIMS

The Examiner stated in paragraph 1 of the Office Action that claims 2-8 contain allowable subject matter. The limitations of claim 2 have been inserted into claim 1 and claim 2

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has been cancelled. Claims 3-8 remain in the application and depend from the amended claim

1. Claim 8 has been amended as suggested by the Examiner.

CONCLUSION

The remaining cited references have been reviewed and are not believed to affect the patentability of the claims as amended.

No amendment made herein was related to the statutory requirements of patentability unless expressly stated; and no amendment made herein was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

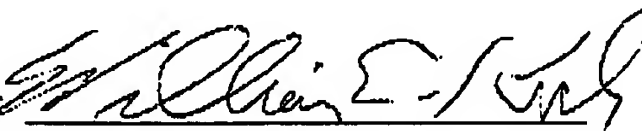
In view of Applicant's amendments and remarks, it is respectfully submitted that Examiner's rejections have been overcome. Accordingly, Applicants respectfully submit that the application, as amended, is now in condition for allowance, and such allowance is therefore earnestly requested. Should the Examiner have any questions or wish to further discuss this application, Applicants request that the Examiner contact the Applicants attorneys at 480-385-5060.

If for some reason Applicants have not requested a sufficient extension and/or have not paid a sufficient fee for this response and/or for the extension necessary to prevent abandonment on this application, please consider this as a request for an extension for the required time period and/or authorization to charge Deposit Account No. 502,091 for any fee which may be due.

Respectfully submitted,

INGRASSIA FISHER & LORENZ

Dated: 13 Jan 2006

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